

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 35709 of 2007(A)

PETITIONER:

M/S. GOMEZ TRADING CO.,
THRIPUNITHURA, REPRESENTED BY ITS PARTNER,
IGNATIUS GOMEZ.

BY ADV. SMT.S.K.DEVI
SRI.SANTHOSH P.ABRAHAM

RESPONDENTS:

1. THE COMMERCIAL TAX OFFICER,
DEPT. OF COMMERCIAL TAXES, THRIPUNITHURA-682 019.
2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, ERNAKULAM-682 015.
3. THE INSPECTING ASST. COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM-682 030.

BY GOVT. PLEADER SRI GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 35709 OF 2007

Dated: December 5, 2007

JUDGMENT

Against Ext.P1 order of penalty the petitioner has filed Ext P2 appeal and Ext.P3 stay petition. During the pendency of Exts.P2 and P3, revenue recovery proceedings are initiated by Ext.P4. Hence this writ petition.

2. Referring to Ext.P5 the petitioner submits that out of the penalty amount that has been imposed by Ext.P1, the petitioner has already remitted Rs.1,00,000. Taking into account the submission, I am inclined to direct that the appeal shall be disposed of as expeditiously as possible.

3. Accordingly this writ petition is disposed of directing the 2nd respondent to dispose of Ext.P2 appeal with notice to the petitioner and after hearing them. This shall be done within 4 weeks from the receipt of a copy of this judgment. In the mean time, Ext.P4 will stand deferred.

The petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE

mt/-